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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,313	10/17/2000	James L. Keesey	SLT9-2000-0052US1	3435

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EXAMINER
HAN, QI

ART UNIT	PAPER NUMBER
2626	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/690,313	KEESEY ET AL.
	Examiner	Art Unit	
	Qi Han	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 February 2007_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-40_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-40_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20070418

DETAILED ACTION

1.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Response to Amendment

2.   This communication is responsive to the applicant's amendment dated 02/08/2007. The

applicant(s) added claim 40 (see the amendment: page 9).

Response to Arguments

3.   Applicant's arguments filed on 02/08/2007 with respect to the claim rejection under 35

USC 102/103, have been fully considered but they are not persuasive.

In response to applicant's arguments with respect to claim 14 (also applied to claims 1

and 27) that "this filtering disclosed by Hedin relates to filtering data other than the data

generated from the recognized speech", "there is no teaching or suggestion in Hedin of

"determining whether to filter the translated text;..." as claimed, and "Hedin does not disclose

applying a filter process to text that was translated from speech at the computer/server"

(REMARKS in the amendment: page 13, paragraphs 1-3), the examiner respectfully disagrees

with applicant and has a different view of prior art teachings and the claim interpretations. It is

noted that Hedin teaches 'many of the recognized words (text data from the recognized speech)

typically would be used to control local functions in the terminal' (col. 5, lines 7-8); the

recognized speech includes 'TP command words (text)' that can 'be sent back to the TAP 203' to

'invoke the terminal's call command' (col. 9, lines 40-66); and 'conversion …may include not

only substituting keywords from one form to another, but also some level of filtering to weed out

data that cannot be received by the terminal' and 'the conversion performed by the

gateway/proxy part (corresponding to computer/server) may likely include the substitution of

voice data for text, and vice versa' (col. 5, lines 45-61) (determining whether to filter the data),

which clearly teaches the feature/capability of filtering translated text as claimed. Further, it is

noted that the claimed limitation of "applying a filter to the translated text" is broad, so that, in

light of specification (see page 6, lines 16-20), any changes in format of the data can be read on

the claimed limitation. In this case, any possible changes regarding "some level of filtering to

weed out data that cannot be received by the terminal" disclosed by Hedin (col. 5, lines 45-49

and col. 9, lines 40-67) can properly satisfy the claimed and argued limitation.

In response to applicant's arguments with respect to claim 23 (also applied to claims 10

and 26) that "one of ordinary skill in the art would not have been motivated to modify Hedin to

produce the claimed invention based on the teaching of King", "there is simply no teaching or

suggestion in Hedin of a need to receive translated data from a server" (REMARKS in the

amendment: page 14, paragraph 2 to page 16 paragraph 1), the examiner respectfully disagrees

with applicant and has a different view of prior art teachings and combination of the references.

Firstly, it is noted that, as stated above, Hedin discloses that the ASR (speech recognition on

sever/network side) has capability of recognizing the TP (terminal part) command words and the

recognized information is sent back to the terminal (col. 9, lines 37-67), wherein the recognized

TP commands necessarily or inherently include text because they must run on the terminal as

same manner as inputted from keyboard or keypad of the terminal. Secondly, the examiner

recognizes that obviousness can only be established by combining or modifying the teachings of

the prior art to produce the claimed invention where there is some teaching, suggestion, or

motivation to do so found either in the references themselves or in the knowledge generally

available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.

Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the

obviousness is based on the prior art teachings of both Hedin and King. It is noted that Hedin

teaches using 'ASR' (speech recognition) and 'WML' with 'wireless mobile terminal' for

enhancing and extending services available in today's advanced mobile networks (col. 4, lines

43-67), which has the same environment taught by King (col. 4, lines 42-51) and very similar

objective scope that 'utilizes speech recognition services in conjunction with the standard mobile

device user interface' to 'improve the usability and commercial viability of network' taught by

King (col. 2, lines 37-43), as rejected in the previous office action. Therefore, the

obviousness/motivation of combining the references based in the prior art teachings is proper.

For above reason, the applicant's arguments are not persuasive and the rejection is

sustained.

Regarding claim 40, it is noted that the newly added claim introduces new issue/matter,

but the previous cited references are still applicable to the newly added claim for prior art

rejection based on the new ground (see below).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

4.   Claim 40 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

written description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 40, the limitation of "a unit identifier which identifies a particular device

operated by a user" in the new added claim introduces new subject matter, which is not specific

disclosed in the original specification (see the closet disclosure in the specification: page 5, line

16).

Claim Rejections - 35 USC § 102

5.   Claims 1-3, 6, 8-10, 14-19, 22, 24-26 and 28-29 are rejected under 35 U.S.C. 102(e) as

being anticipated by HEDIN et al. (USPN 6,185,535 B1) hereinafter referenced as HEDIN.

Regarding **claim 14**, HEDIN discloses 'voice control of a user interface to service

applications' (title), comprising:

"a device for receiving and transmitting data" (Fig. 1a and col. 4, lines 25, 'the client part

101 (corresponding to device) receives speech (data) from user', 'those words (data) …sent

(transmit) to the server part 103);

"a computer having a data store coupled thereto, wherein the data store stores data,

connected to the device" (Fig. 1 and col. 4, lines 46-50, 'the server (a computer) part 103 is

implemented in a separated processor (computer)' that 'is more powerful (e.g., faster, more

storage space (data store), etc.)', 'the first digital link 105 for coupling (connecting) the client

and server part 101, 103 may be wireless or wireline'); and

"one or more computer programs, performed by the computer" (col. 6, lines 31-35,

'various embodiments may utilize one or more programmable elements (computer programs)

executing a stored program to perform a number of functions') for:

"receiving voice data and a device identifier from the device" (col. 5, lines 20-22,

'the server...uses its own, more powerful ASR to analyze the received speech (voice

data)'; col. 4, lines 62-63, 'through WAP URL (interpreted as device identifier', wherein

WAP also inherently includes device identifier(s) for both sides of communication; also

see col. 1, lines 21-34);

"translating the voice data to text", (col. 5, lines 20-22, 'the server...uses its own,

more powerful ASR (speech-to-text) to analyze the received speech (voice data); col. 6,

lines 6-7, 'the spoken text will either be recognized and converted (translated) to text by

the ASR in the client 101, or alternatively by the ASR in the gateway/proxy part 107

(replacing server part 103)');

"determining whether to filter the translated text" and "if it is determined that the

translated text is to be filtered, applying a filter to the translated text", (col. 5, lines 43-55

'when the data formats are different' determining 'to convert (filter) the data from one

format to the other' (wherein converting formats is interpreted as filtering, in light of

specification: see page 6, lines 16-20), 'conversion ...not only substituting (formatting)

keywords from one format to another (e.g. from HTML (text) to WML), but also some

level of filtering to weed out data that cannot be received by the terminal...').

Regarding **claim 15** (depending on claim 14), HEDIN further discloses "storing a user profile in a data store connected to the computer", (col. 1, lines 66-67, 'in a multi-user environment, each user's profile must be stored'; col. 8, lines 56-58, 'the RAP server 205' 'may be implemented as a multi-user, central WAP application server').

Regarding **claim 18** (depending on claim 14), HEDIN further discloses "determining comprises extracting one or more key words from the translated text", (col. 5, lines 45-55 'conversion ...not only substituting keywords from one format to another (e.g. from HTML (text) to WML), but also some level of filtering to weed out data that cannot be received by the terminal'; col. 5, lines 24-28, 'the recognized speech (the translated text) may consist of commands (keywords) for controlling the server application, in which case the command are acted upon' (implying the command is extracted); col. 9, lines 59-67, 'if the ASR 307 looks for...the phrase "*CALL*", then the ASR 107 will detect (corresponding to extract) that the unrecognized isolated word consists of the word "CALL" with another unrecognized part following it').

Regarding **claim 20** (depending on claim 14), HEDIN further discloses "applying the filter comprises formatting the translated text", (col. 5, lines 45-55 'when the data formats are different... convert (filter) the data (translated text) from one format to the other', 'conversion ...not only substituting (formatting) keywords from one format to another (e.g. from HTML (text) to WML), but also some level of filtering to weed out data that cannot be received by the terminal...').

Regarding **claim 21**(depending on claim 20), HEDIN further discloses "formatting the translated text for an application", (col. 5, lines 50-55, 'if the server 109 is an application that is

accessible via the Internet...pass on to the client 101 only that data (text data) that is

appropriate'; col. 14,10-21,'weather information service' (application); col. 15, lines 55-67;

interactive voice controlled services (applications)').

Regarding **claim 22** (depending on claim 20), HEDIN further discloses "formatting the

translated text for the device", (col. 15, lines 62-63, 'voice-enabled special devices, such as

electronic notepads').

Regarding **claims 1-2, 5 and 7-9**, they recite a method. The rejection is based on the

same reason described for claims 14-15, 18 and 20-22 respectively, because the claims recite the

same or similar limitations as claims 14-15, 18 and 20-22, respectively.

Regarding **claims 27-28, 31 and 33-35**, they recite an article of manufacture. The

rejection is based on the same reason described for claims 14-15, 18 and 20-22 respectively,

because the claims recite the same or similar limitations as claims 14-15, 18 and 20-22,

respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 3, 16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over

HEDIN in view of ALPDEMIR (US 6,658,389 B1).

Regarding **claim 16** (depending on claim 15), HEDIN does not expressly disclose "a

voice print". However, this feature is well known in the art as evidenced by ALPDEMIR who

discloses the 'voice recognition' using 'a previously stored authentic voice print' (col. 6, lines

14-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify HEDIN by specifically providing a voice print, as taught by

ALPDEMIR, for the purpose of authenticating the users (ALPDEMIR: col. 6, line 16). In

addition, ALPDEMIR also discloses 'speech server 116, including ASR 146, TTS 148' accessed

by a PC, smart phone, or PDA through 'Internet' (col. 4, lines 16-61) and providing 'caller

identification' with "a registered telephone number (device identifier)', which further supports

the rejection of the combined references.

Regarding **claim 3** (depending on claim 2), the rejection is based on the same reason

described for claim 16, because the claim recites the same or similar limitations as claim 16.

Regarding **claim 29** (depending on claim 28), the rejection is based on the same reason

described for claim 16, because the claim recites the same or similar limitations as claim 16.

7.   Claims 4, 17 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

HEDIN in view of ALPDEMIR as applied to claims 3,16 and 29, and further in view of

DEVINNEY, JR. et al. (US 2003/0046083 A1) hereinafter referenced as DEVINNEY.

Regarding **claim 17** (depending on claim 16), HEDIN in view of ALPDEMIR does not

expressly disclose "translating the voice data to text using voice print". However, this feature is

well known in the art as evidenced by DEVINNEY who discloses 'user validation for

information system access and transaction processing'(title), comprising using 'voice print and

speaker recognition technology' (paragraph 15), and teaches that 'text dependent speaker

verification systems identify the speaker after the utterance (corresponding to voice print) of a

password phrase (corresponding to text)' and 'the password phrase (text version) is chosen

during enrollment and the same password phrase (voice version) is used in subsequent

verification (including translating voice to text)' (paragraph 18), which is read on the claim.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify HEDIN in view of ALPDEMIR by specifically providing functionality of

text dependent speaker verification, as taught by DEVINNEY, for the purpose (motivation) of

providing robust security enhancement for the system (DEVINNEY: paragraph 17).

Regarding **claim 4** (depending on claim 3), the rejection is based on the same reason

described for claim 17, because the claim recites the same or similar limitations as claim 17.

Regarding **claim 30** (depending on claim 29), the rejection is based on the same reason

described for claim 17, because the claim recites the same or similar limitations as claim 17.

8.   Claims 6, 19 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

HEDIN.

Regarding **claim 19** (depending on claim 18), HEDIN does not expressly disclose "a

filter is selected based on one or more extracted key words". However, HEDIN discloses that

'conversion ...not only substituting (formatting) keywords from one format to another (e.g. from

HTML (text) to WML), but also some level of filtering to weed out data that cannot be received

by the terminal...'(col. 5, lines 43-55); the devices used for the applications can be 'a WAP-

enabled phone', 'electronic notepads', or 'windows-based' 'computer' (col. 15, lines 59-66); 'the

recognized speech (text) may consist of commands (extracted keywords) for controlling server

application' (col. 5, lines 24-26) or 'TP (terminal part) command words (extracted keywords,

such as "CALL")' (col. 9, lines 55-67); and providing different 'services' and/or 'applications'

that request displaying menus (col. 5, lines 59-66). Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to recognize that the

recognized commands (keywords) could be associated with different devices or applications that

have different textual display formats, such as menus, so as to combine the different teachings of

HEDIN together by providing different text formats for different devices and/or applications

based on the recognized commands (keywords), for the purpose (motivation) of providing

enhanced and extended services/applications in advanced mobile networks for the user (HEDIN:

col.4, lines 63-65).

Regarding **claim 6** (depending on claim 5), the rejection is based on the same reason

described for claim 19, because the claim recites the same or similar limitations as claim 19.

Regarding **claim 32** (depending on claim 31), the rejection is based on the same reason

described for claim 19, because the claim recites the same or similar limitations as claim 19.

9. Claims 10-13, 23-26 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable

over HEDIN in view of KING (US 6,532,446 B1).

Regarding **claims 23-24 and 26** (depending on claim 14), HEDIN does not expressly

disclose "returning translated text to the device" (claim 23), "returning filtered text to the device"

(claim 24) or "returning data to a device other than the device at which voice data was received"

(claim 26). However, the features are well known in the art as evidenced by KING who

discloses 'server based speech recognition user interface for wireless devices (title), and teaches

that 'the symbolic data file (corresponding to translated text) is then sent back to the originating

mobile device' (col. 3, lines 16-19) and 'the processed symbolic data file...may be

reformatted...then sent to the requesting mobile device or to a designated third party device'

(col. 10, lines 32-48). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify HEDIN by providing sending the

recognized/converted/reformatted symbolic data (text) back to the originating device or a

designated third party device, as taught by KING, for the purpose (motivation) of improving the

usability and commercial viability of network for using speech recognition services (KING: col.

2, lines 37-43).

Regarding **claim 25** (depending on claim 24), HEDIN in view of KING further discloses

"returning the filtered text via an electronic mail message", (KING: col. 2, lines 63-64, 'email').

Regarding **claims 10-13**, they recite a method. The rejection is based on the same reason

described for claims 23-26 respectively, because the claims recite the same or similar limitations

as claims 23-26 respectively.

Regarding **claims 36-39**, they recite an article of manufacture. The rejection is based on

the same reason described for claims 23-26 respectively, because the claims recite the same or

similar limitations as claims 23-26 respectively.

Regarding **claim 40** (depending on claim 1), as best understood in view of the claim

rejection under 35 USC 112 1st (see above0, HEDIN does not expressly disclose "the device

identifier comprises a unit identifier which identifies a particular device operated by a user".

However, the features are well known in the art as evidenced by KING who further teaches that

'the contact information ...(e.g. a phone number or a uniform resource indicator (URI), which is

read on unit identifier) may be embedded in software loaded on the mobile device' (col. 6, line

41-42); 'each of the mobile devices serviced by link server device is assigned an identification

(ID) or device (ID)' (read on unit identifier) and 'a device ID can be a phone number of the

device or an IP address or a combination of an IP address and a port number' (col. 9, lines 53-

58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify HEDIN by providing an ID for each device, such as using a phone

number, IP address, or URI for each of mobile devices, taught by KING, for the purpose

(motivation) of identifying mobile device to outside entities and corresponding the device with

associated user account (KING: col. 8, lines 38-43).

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A

shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Qi Han whose telephone numbers is (571) 272-7604. The
examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:30 p.m. If
attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Richemond Dorvil, can be reached on (571) 272-7602.

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4/19/2007

RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER